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December 26, 2024

VIA ECF

Hon. Daniel J. Stewart
United States District Court for the Northern District of New York
Alexander Pirnie Federal Building & U.S. Courthouse
10 Broad St.
Utica, NY 13501

Re: Luke Fizulich v. Dwayne Killings and The State University of New York at Albany, Civil Action No.: 1:22-cv-1190 DNH/DJS

Dear Magistrate Judge Stewart,

The undersigned represents Plaintiff Luke Fizulich in the above-referenced matter. We are writing on behalf of all counsel to request a ninety (90) day extension of the current discovery deadline, until March 31, 2025.

To date, the parties have diligently engaged in the discovery process, including exchanging initial disclosures, written discovery requests, and document productions. The parties have also conducted depositions of the Plaintiff and Defendant Killings. There are several depositions that remain outstanding, which counsel will require additional time to complete. Due to counsel's upcoming trial and argument schedules, counsel respectfully requests a ninety (90) day extension of the current discovery deadline, which would bring the new deadline to March 31, 2025.

We have conferred with Defendants' counsel, Mark Mitchell from the Office of the New York State Attorney General, and William Dreyer from Dreyer Boyajian, both of whom are in agreement with this request.

Respectfully submitted,

NESENOFF & MILTENBERG, LLP

By: /s/ Tara J. Davis
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Dated: **New York, New York**
 November 12, 2024

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